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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

CG TECHNOLOGY DEVELOPMENT,
LLC, INTERACTIVE GAMES LIMITED,
and INTERACTIVE GAMES LLC,,

Plaintiff,

v.

FANDUEL, INC.,

Defendants.

CASE NO.: 2:16-cv-00801-RCJ-VCF
*For Pre-Trial Discovery Purposes,
Consolidated with:*
2:16-cv-00781-RCJ-VCF
2:16-cv-00856-RCJ-VCF
2:16-cv-00857-RCJ-VCF
2:16-cv-00858-RCJ-VCF
2:16-cv-00859-RCJ-VCF
2:16-cv-00871-RCJ-VCF

BWIN'S MOTION TO SEAL

Defendants Bwin.Party Digital Entertainment, PLC, Bwin.Party (USA), Inc., and
Bwin.Party Entertainment (NJ), LLC (collectively "Bwin" or "Defendants") hereby move the
Court for an order sealing portions of Plaintiffs' Motion to Compel Bwin Defendants' Document
Production ("Motion") and Exhibits 3 and 6 in support of the Motion. Exhibits 3 and 6 are letters

1 from Plaintiffs' attorney to Bwin's attorney referencing sensitive documents produced by Bwin in
2 response to Plaintiffs' requests for production. The redacted sections of the Motion (pg. 8, lns. 4-
3 5; pg. 10, ln. 27; and pg. 11, lns. 1-3), Exhibit 3 (pg. 2, ¶¶4-5; and pg. 3, ¶2) and Exhibit 6 (pg. 2
4 ¶4; and pg. 3 ¶¶2-3) refer to Bwin's proprietary security measures and software structure and
5 design. A Protective Order was entered in this action on December 30, 2016. *See* ECF # 109.
6 Redacted versions of the Motion and Exhibits 3 and 6 were filed on July 19, 2017. *See* ECF #
7 204-1, 204-5, and 204-8.

8 The documents referenced in the Motion and Exhibits 3 and 6 discuss highly sensitive
9 material related to Bwin's security measures and software structure and design. The online
10 gaming industry is highly regulated and large sums of money exchange hands on a daily basis,
11 making online betting, poker, and casino companies like Bwin susceptible to cyber-attack and
12 sophisticated cheating attempts. Seemingly nondescript pieces of information, such as language
13 used in software programs or information referring to security testing can be the basis of an
14 attack. The redacted portions of the Motion and Exhibits 3 and 6, *see* ECF # 204-1, 204-5, and
15 204-8, quote and discuss Bwin's software architecture and security procedures. To help ensure
16 the integrity of Bwin's gaming platform and protect Bwin's customers it is essential that this
17 information be sealed.

18 Further, Bwin designated the documents "Highly Confidential – Outside Attorneys' Eyes
19 Only" pursuant to the Protective Order. Bwin also moves to seal the redacted portions of the
20 Motion and Exhibits 3 and 6 on this basis. This request involves only a few lines from a large
21 filing, and so is reasonable in scope and narrowly tailored.

22 Good cause exists to justify sealing the redacted sections of the Motion (pg. 8, lns. 4-5;
23 pg. 10, ln. 27; and pg. 11, lns. 1-3), Exhibit 3 (pg. 2 ¶¶4-5; and pg. 3, ¶2) and Exhibit 6 (pg. 2 ¶4;
24 and pg. 3 ¶¶2-3). *See Kamakana v. City & County of Honolulu*, 447 F.3d 1172, 1180 (9th Cir.
25 2006). The Court has the authority to shield this potentially confidential and designated-
26 confidential business information from public disclosure. *See, e.g., Phase II Chin, LLC v. Forum*
27 *Shops, LLC*, No. 2:08-cv-00612-JCM-GWF, 2010 WL 2695659, at *2 (D. Nev. Jul. 2, 2010).

28 For the reasons stated above, Bwin requests that the Court grant Bwin's Motion to Seal.

1 A redacted version of the Motion and Exhibits 3 and 6, have been filed in the public record. *See*
2 ECF # 204-1, 204-5, and 204-8.

3 DATED this 27th day of July, 2017

4 BROWNSTEIN HYATT FARBER
5 SCHRECK, LLP

6
7 By: /s/ Evan M. Rothstein

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CERTIFICATE OF SERVICE

Pursuant to FRCP 5(b), I certify that I am an employee of BROWNSTEIN HYATT FARBER SCHRECK, LLP, and on this 27th day of July, 2017, I served the document entitled, **BWIN'S MOTION TO SEAL**, on counsel of record through the CM/ECF system.

/s/ Nancy Lindsley
Employee of Brownstein Hyatt Farber
Schreck, LLP